

**CONNECTICUT MARITIME COMMISSION (CTMC)
REPORT OF MEETING (Mtg. #09-07)
15 July 2009**

Location of Meeting: U.S. Coast Guard Sector Long Island Sound
New Haven, CT

Attendance:

Commissioners

Present

Chuck Beck (for Commissioner Marie)
Sue Decina (for Commissioner McDonald)
Linda Krause
G.L. "Doc" Gunther
John Opie
Joe Riccio
David Shuda
John Wronowski

Absent

Vincent Cashin
Tom Dubno
Robert Genuario
John Johnson
Joseph P. Maco
Larry Miller
George Wisker

Guests

Henry Goyette	Jack Hopley	Judith Lagano	Kevin Oditt	James Phyfe
Leslie Ross	Dave Rossiter	Joe Salvatore	Judi Sheffele	Bill Spicer
Alan Stevens	Brian Thompson		Fred Walters	Grant Westerson

I. Call to Order:

The Chair, Commissioner Joe Riccio, opened the meeting at 9:37 AM. A quorum of 8 was present. The CTMC members were asked to introduce themselves. The audience was asked to introduce themselves.

II. Review of Meeting Minutes:

The summary report of the 17 June 2009 meeting was reviewed. A motion was made by Commissioner Opie and seconded by Commissioner Krause to approve. The motion was approved by unanimous vote. Commissioner Gunther inquired if it was necessary to have the word DRAFT across the document. The need for the document to be marked in such a manner was explained by Chuck Beck and verified by several of the other members as being the standard convention. Commissioner Krause recommended that future votes taken by the Commission that are not unanimous be recorded by identifying how each member voted.

III Discussion Open to Public

Bill Spicer provided information on a CTDEP presentation he attended recently on a draft Residential Dock Regulations being proposed. He stated that there were three more presentation dates: 7/14/09 and 8/3/09 at the CTDEP office and 7/20/09 in Norwalk. Bill described the draft as containing sweeping changes that in his opinion will extend the control of CTDEP over the process. He also stated that the presentation neglected to cover information on fees associated with the implementation of the new regulations should they be adopted. Bill recommended that anybody with an interest on the waterfront (private or commercial) attend one of the presentations. The drop dead date for submitting comments to CTDEP is 9/10/09.

IV Old Business:

A. Dredging Update - Joe Salvatore

1. LIS DMMP – Joe reported that Senator Lieberman has assisted in a Senate appropriation of \$2M for the LIS DMMP study in FY 2010. The House has a sister appropriation of \$4M.
2. Joe Salvatore reported that the USN has publicly advertised their intent to commence construction of a CAD cell in the Thames River on September 15th as part of their dredging project at the USN Base Groton. Other marine interests in the New London area have dredging projects that could benefit from the Navy project material to service as a cap. These interests need to submit a letter requesting the dredging window for their project be extended/ broadened to CTDEP and Diane Ray of the ACOE ASAP. The letter should contain specifics of the project (location/ quantity/characteristics of the material, etc) as well as the exact dates to be considered. Joe further stated that he was aware of 9 local dredging projects that might benefit from the Navy project material but not all had letters on file with the CTDEP or the ACOE.
3. Joe Salvatore mentioned that New England Regional Dredge Team (NERDT) otherwise known as the Sudbury Group had met on 23 June, 2009. However, due to out of state travel restrictions imposed by the Governor's office on all state employees he was not able to attend. A copy of the agenda was part of the CTMC meeting package. Minutes of the meeting will be available on the NERDT web site (www.nerdt.org).
4. Joe Salvatore provided some information on a Town of Greenwich Coastal Resources Advisory Committee meeting he and members of the New England Division of the ACOE attended on 30 June, 2009. A copy of the agenda and some other material were part of the CTMC meeting package.

B. LIS AMSC Update – CDR Kevin Oditt from Coast Guard Sector Long Island Sound (CGSECLIS) reminded everybody that applications for the ARRA portion of the FY 2009 Port Security Grants were due NLT 29 June 2009. FEMA GPD has had problems uploading ARRA PSG FY 09 investment justifications (IJs) on the Preparedness Portal. It is hoped the Preparedness Portal will be ready for opening with the majority of IJs ready for review soon.

C. LIS HSC Update – CDR Oditt stated that CG Sector LIS was in the process of drafting a Notice to Proposed Rule Making (NPRM) that would consolidate annual marine events such as fireworks, regattas, races etc into one standing regulation. Doing so will save hours of staff time presently being spent each year. Despite the fact that he had been advised previously that none of the structures were the property of the CG, Commissioner Gunther inquired again about the ownership of navigation beacons on the Housatonic River. CDR Oditt offered to discuss the matter with Commissioner Gunther after the meeting so that charts could be consulted.

V New Business:

A. NRG Presentation – Mr. Leslie Ross assisted by Ms Judith Lagano and Jack Hopely of NRG provided information on type of turbines, fuels used and method of delivery associated with the Devon Power Plant on the Housatonic River in Stratford and the Middletown Plant on the CT River. The "peaking" turbines in Devon burn natural gas and/or ultra-low sulfur kerosene delivered by truck. Devon use to have steam turbines that burned #2 oil delivered by tug and barge. However, channel restrictions and problems with Metro North cooperation on raising the rail bridge coupled with the age of the equipment has resulted in the decommissioning of the steam turbines. It was stated that there was no plan to change the current fuel delivery methods. There was some discussion about matching public policy aimed at reducing

highway congestion to the economic conditions (carrying costs) that drives NRG to an on time fuel delivery system via trucks. The turbines at Middletown primarily burned #2 oil. The NRG representatives were asked and committed to provide a cost analysis comparing the various fuel delivery systems (barge, truck, pipeline).

- B. Transportation Strategy Board Maritime Committee Update – Chuck Beck reported that he had determined that the appointed chairman of the TSB Maritime Workgroup had or was about to resign from the TSB. TSB Chairman Kevin Kelleher committed to resurrect the maritime workgroup as soon as possible. Commissioner Gunther asked questions concerning The TSB allowing state agency proxies, but there was nobody present who could address the matter.
- C. Agenda Format – Commissioner Krause had asked for the topic to be placed on the agenda thus took the lead. Her concern was the apparent inability for the CTMC to discuss items that might come up at the last minute but not on the agenda. Commissioner Krause stated that she understood of the need to maintain a certain amount of control at a scheduled meeting so that pet topics were not allowed to dominate or extend a meeting. She felt that a full understanding of the procedures to be followed by the CTMC to add a matter to an agenda was key. However, some latitude should be given to allow the CTMC to discuss matters that would not come to a vote. Commissioner Opie reported that he had had many discussions with his town attorney on this type of matter the result of which was that any item that might require a vote should be added to the agenda via the rules in place. Otherwise the public might not have an opportunity to engage in the process since they were not properly notified that the topic would be discussed. Commissioner Krause restated that there would be no need to add a catch all agenda item to the agenda provided that all understood the proper procedures to follow to place an item on the agenda. Commissioner Gunther provided a history of the rules followed by the CT Legislature (Mason Rules). The discussion morphed into the next agenda item on administrative procedures.
- D. Administrative Procedures – The preceding discussion on rules of order continued. The discussion centered on the value of a vote to abstain. Although a member who abstains during a vote counts towards a quorum, the abstention is a non-vote when determining the total votes used for the denominator of a 2/3rds vote. After some further discussion, a motion was made by Commissioner Krause to adopt the current version of Robert's Rules of Order. The motion was seconded by Commissioner Gunther and approved by a unanimous vote.
- E. Public Act 09-186 Discussion – Prior to the discussion, Commissioner Riccio apologized for his part in placing the CTMC in an awkward position related to the activities that resulted in the addition of language to PA 09-186 that would protect port authorities and subsequent actions taken by the Bridgeport City Council and Mayor. Despite the fact that PA 09-186 had been vetoed by the Governor, that the City Council resolution to dissolve the Bridgeport Port Authority (BPA) had been vetoed by Mayor Finch and that Joe Riccio had resigned as the Executive Director of the BPA, Commissioner Gunther still pressed the issue and voiced his concerns about the process. Commissioner Gunther stated that his opinion was based on what he had read in the press. After a considerable amount of time, Commissioner Krause offered that a discussion on the governance of the state's port authorities was a good idea perhaps to be addressed at a future meeting.

VI Date of Next Meeting:

It was announced that the next meeting of the CTMC would be at the **CONNDOT HQ building in Newington, CT at 0930 on Wednesday September 16, 2009.** There is no meeting in August.

VII Adjournment:

A motion to adjourn was made by Chuck Beck, seconded by Commissioner Shuda and approved unanimously. The meeting adjourned at 11:10 AM.

DRAFT